

APPROVED
BOARD OF DENTISTRY
MINUTES
SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE: Special Conference Committee "B" convened on March 15, 2013 at 9:08 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 9:08 a.m.

PRESIDING: Jeffrey Levin, D.D.S.

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Melanie C. Swain, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

Tanya O'Neill, RDH
Case No.: 146265 Ms. O'Neill appeared without counsel to discuss the allegations set forth in a Notice of the Board dated January 4, 2013. The Committee received statements from Ms. O'Neill and Dr. Christa Morris and discussed the allegations with them.

Closed Meeting: Ms. Swain moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Tanya O'Neill. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Ms. Swain moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

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DECISION:
Case No.: 146265

Ms. Toliver reported that the Committee found that Ms. O'Neill presented to an inpatient facility in Virginia in June 2012 for treatment of "major depression recurrent severe." Ms. O'Neill reported a history of self-harm, depression, and bipolar disorder.

The Committee also found that Ms. O'Neill was diagnosed with a mental health disorder requiring ongoing medication management, monitoring, and treatment.

Finally, the Committee found the testimony and evidence from Ms. O'Neill's employer and therapist regarding her mental health and ability to safely practice credible.

The sanctions reported by Ms. Toliver were that Ms. O'Neill shall be placed on probation for a period of not less than two years subject to the terms and conditions that Ms. O'Neill shall ensure that her therapist and her employer provide written reports to the Board on a quarterly basis.

Dr. Gaskins moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE: 2:10 p.m.

PRESIDING: Jeffrey Levin, D.D.S.

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Melanie C. Swain, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

Richard Tami, DDS
Case No.: 144057
Dr. Tami appeared without counsel to discuss the allegations set forth in a Notice of the Board dated January 29, 2013. The Committee received statements from Dr. Tami and discussed the allegations with him.

Closed Meeting: Ms. Swain moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Richard Tami. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their

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presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Ms. Swain moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

DECISION:

Case No.: 144057

Ms. Toliver reported that the Committee found that Dr. Tami failed to include a diagnosis in the record for Patient A that explained the need to remove implants on August 2, 2011; and Dr. Tami also failed to note in the record the post operative visits for Patient A.

The sanctions reported by Ms. Toliver were that Dr. Tami shall pay a \$500.00 monetary penalty and that his license be placed on probation subject to the terms and conditions that within 6 months from the date of entry of the Order he shall successfully complete 7 hours of continuing education in recordkeeping and risk management.

Dr. Gaskins moved to adopt the decision of the Committee. The motion was seconded and passed.

Approval of Minutes:

Upon a motion by Dr. Gaskins, the minutes from the Informal Conference conducted on January 25, 2013 were approved.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 3:10 p.m.


Jeffrey Levin, DDS, Chair

Date

4/26/13


Sandra K. Reen, Executive Director

Date

April 29, 2013